

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Confirmation Number	7575
Application Number	10/697,546
Filing Date	October 30, 2003
First Named Inventor	David Wynn
Group Art Unit	1618
Examiner Name	Micah Paul Young
Attorney Docket Number	MCP5015USNP

U.S. PATENT DOCUMENTS

Exam Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	KindCode ⁵				

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Exam Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		Chronopharmaceutics: Science and Technology for Biological Rhythm Guided Therapy and Prevention of Diseases (ISBN 0471743437), pages 123-124, published in 2009	
		A summary table of the Eudragit® range of polymers downloaded on 8 th March 2012 from Http://eudragit.evonik.com/product/eudragit/en/downloads/brochures/pages/default.aspx	
		A brochure regarding the Eudragit® range of polymers downloaded on 8 th March 2012 from Http://eudragit.evonik.com/product/eudragit/en/downloads/brochures/pages/default.aspx	
		Product information regarding Eudragit® polymers published in 1996	
		Pharmaceutical Dosage Forms: Disperse Systems, Vol. 3, pages 232-235 and 202-204, 1998	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of U.S. Patent Documents at www.uspto.gov. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet 1 of 1

Confirmation Number	7575
Application Number	10/697,546
Filing Date	October 30, 2003
First Named Inventor	David Wynn
Group Art Unit	1618
Examiner Name	Micah Paul Young
Attorney Docket Number	MCP5015USNP

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement (See 37 CFR 1.97(e)(1)), or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

OR

That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

See attached certification statement.

REMINDER TO THE EXAMINER

In view of, and pursuant to, the holdings of the Federal Circuit Court of Appeals in the cases *Dayco Products, Inc. v. Total Containment, Inc.*, 329 F.3d 1358, 66 U.S.P.Q.2d 1801 (Fed. Cir. 2003); *McKesson Info. Sol'n v. Bridge Med.*, 487 F.3d 897, 927 (Fed. Cir. 2007); and related cases, Applicants hereby inform the Examiner of the existence of commonly owned pending U.S. Patent Application Serial Nos. . This application has published and is therefore publicly available in PAIR. Moreover, the Patent Office has issued one or more Office Actions in this application. The Examiner is invited to review the prosecution of this application to determine its impact, if any, on the prosecution of the present application. In an effort not to overwhelm the Examiner with an overly large IDS, Applicants are not submitting copies of these publicly available documents. Of course, Applicants would be happy to do so at the Examiner's request.

Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609.06.

The relevance of those listed references which are not in the English language is as follows:

Copies of copyrighted material were made and delivered to the government under license from Copyright Clearance Center, Inc. No further reproduction is permitted

Any fee set forth in 37 CFR 1.17 (p) has been submitted herewith. The Commissioner is hereby authorized to charge any additional fees which may be required in connection with the filing of this communication, or credit any overpayment, to Account No. 10-0750.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/William E. McGowan/	Date (YYYY-MM-DD)	2012-04-11
Name/Print	William E. McGowan	Registration Number	39,301

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being electronically filed via EFS-Web to the Commissioner for Patents with the U.S. Patent and Trademark Office on: April 11, 2012

Name (print/type)	Judith Ubry	Date	2012-04-11
Signature	/Judith Ubry/		

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.